

REMARKS

By this Amendment, claims 1, 4, 7 and 14 have been amended, claims 18-22 have been cancelled, and new claims 63-66 have been added. Accordingly, claims 1-9, 14-17, 36-39 and 63-66 are pending in the present application.

Claims 4 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,224,683 to Ide et al. Claims 5-6 and 19-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ide et al. The rejection of claims 18-20 is deemed moot due to their cancellation. Applicant's respectfully traverse the rejections of claims 4-6.

Among the limitations of independent claim 4, which are neither disclosed nor suggested in the prior art of record is a plate for generating conversations wherein "when at least one of said tabs is removed, an outer shape of said plate is changed."

Figs. 5 and 6 of Ide et al. do not disclose a removable tab that alters the outer shape of the bowl when removed. When the plate 44 of Ide et al. is removed from the bowl, the outer shape of the bowl is not changed in any matter. Thus, each and every limitation as defined in independent claim 4 is neither disclosed nor suggested in Ide et al.

In fact, in as much as Ide et al. teaches that the outer shape of the bowl in Figs. 5 and 6 is not altered with removal of the plate 44, it teaches away from the present invention as defined in independent claim 4. Accordingly, it is respectfully submitted that independent claim 4 patentably distinguishes over the art of record.

Each of claims 5 and 6 depend directly from independent claim 4 and include all of the limitations found therein as well as additional limitations which, in combination with the limitations of independent claim 4, are neither disclosed nor suggested in the prior art

of record. Accordingly, it is respectfully submitted that claims 5 and 6 are likewise patentable.

Claims 1-3, 7-9 and 14-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ide et al. in view of U.S. Patent No. 3,580,484 to Schneider. Applicant's respectfully traverse this rejection.

Among the limitations of independent claims 1, 7 and 14 which are neither disclosed nor suggested in the prior art of record is a plate for generating conversations wherein a shape of the outer edge of the raised side surface is changed when a tab, or cutout, is removed.

As admitted on page 3 of the Office Action, Ide et al. fails to teach or suggest perforations that define removable tabs/cutouts.

The Office Action then relies on Schneider as teaching removable perforated sections. Applicant's respectfully submit that the teachings of Schneider to not remedy any of the deficiencies of Ide et al.

Applicant's wish to point out that the pie plate of Schneider does not have removable tabs. Rather, the side wall sections of the pie plate are bendable so that an individual can easily scoop out portions of the pie contained in the plate. There is nothing within Schneider with teaches or even remotely suggests that these side portions of the plate are removable from the plate.

In addition, each of independent claims 1, 7, and 14 require that the shape of the outer edge of the raised side surfaces changed when the selectively removable tab is removed. As admitted on page 3 of the Office Action, the pie plate of Schneider retains a

consistent overall diameter when the side sections are bent to access portions of the pie plate.

It is also respectfully submitted that one of skill in the art, given the teachings of Ide et al. and Schneider, would have no motivation to combine these two references together to arrive at the present invention. The feeding article of Ide et al. shown in Figs. 5 and 6 specifically requires that the flange 40 of the bowl include a recess 42 so as to contain the plate 44 having the letters. If one skilled in the art were to combine the bendable side portions of the pie plate of Schneider with the bowl shown in Figs. 5 and 6 of Ide et al., the resulting structure would not be usable. In particular, if the side walls of the bowl of Ide et al. were perforated, then the food contained within the bowl would simply spill out when those side walls were bent, thus defeating the entire purpose of the invention of Ide et al. Therefore, one of skill in the art would have absolutely no motivation to combine the teachings of these two references because the resulting structure would be unusable.

Claims 2 and 3 each depend directly from independent claim 1 and include all of the limitations found therein. Each of claims 8 and 9 depend directly from independent claim 7 and include all of the limitations found therein. Each of claims 15, 16 and 17 depend directly from independent claim 14 and include all of the limitations found therein. Each of these dependent claims include additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the prior art of record. Accordingly, claims 2-3, 8-9 and 15-17 are likewise patentable.

Claim 21 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ide et al. and further in view of U.S. Patent No. 5,207,746 to Jones. Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ide et al. in view of the

disclosure in the specification on page 14, lines 8-10. These rejections are deemed moot due to the cancellation of claims 21 and 22.

Claims 36-39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ide et al. in view of Schneider, and further in view of Jones. Applicant's respectfully traverse this rejection.

Among the limitations of independent claim 36 which are neither disclosed nor suggested in the prior art of record is a plate for generating conversations whereby "when said tab is folded under said raised side surface said tab is fixed to the underside of said raised side surface."

As admitted on page 7 of the Office Action, Ide et al. fails to teach or suggest removable tabs. In fact, as described hereinabove, if the bowl shown in Figs. 5 and 6 of Ide et al. was provided with perforations, it would defeat the entire purpose of the invention described therein, and make the resulting structure unusable.

Schneider does not remedy any of the deficiencies of Ide et al. As described above, Schneider teaches a pie plate that has side walls which are bendable so as to access the pie contained within the plate. There is nothing within Schneider which teaches or even remotely suggests that the sides of the plate are folded under and fixed to the underside of anything. In fact, since it is the entire raised side surface of Schneider that is bent to access the pie within the plate, it is impossible for the side surface to be folded under and fixed to itself. Accordingly, Schneider cannot teach the limitations of independent claim 36.

Jones does not remedy any of the deficiencies of Ide and/or Schneider. Jones merely teaches a label which is affixed to the outside of a pharmaceutical container. There is nothing within Jones which teaches or even remotely suggests a tab that is folded under a

raised side surface and fixed to the underside of a raised side surface and required by independent claim 36.

Therefore, even if one were to combine the teachings of Ide et al., Schneider and/or Jones, one would not arrive at the present invention and defined in independent claim 36. Accordingly, it is respectfully submitted that independent claim 36 patentably distinguishes over the art of record.

Claims 37-39 each depend directly from independent claims 36 and include all of the limitations found therein as well as additional limitations which, in combination with the limitations of independent claim 36, are neither disclosed nor suggested in the art of record. Accordingly, claims 37-39 are likewise patentable.

New claims 63-66 have been added to more fully cover the scope of the present invention. Favorable consideration and allowance of these claims is respectfully solicited.

In view of the foregoing, favorable consideration of the amendments to claims 1, 4, 7 and 14, favorable consideration of new claims 63-66, and allowance of the present application with claims 1-9, 14-17, 36-39 and 63-66 is respectfully and earnestly solicited.

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Respectfully submitted,

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